

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-9, 11 and 12 are pending in the present application; Claims 1, 5, 6, and 11 having been amended by way of the present amendment.

Applicants acknowledge with appreciation the courtesy of an interview extended to Applicants' attorney, James Kulbaski, on November 25, 2008 by SPE Zimmerman and Examiner Chen. During the interview, claim amendments and arguments which are the same as included with this Amendment were discussed. As indicated in the Interview Summary, the Examiner agreed that Anzai failed to teach that the fixing member was separate from the optical housing but that further consideration and search was required before the application would be allowed.

Also discussed during the interview was that the rejection of the independent claims was not based on four references, and while there is no maximum number of references which can be used to reject claims under 35 U.S.C. § 103, the rejection was becoming a piecemeal conglomeration using documents from varying technologies and with quite different teachings. It is believed that the claimed combination is clearly patentable over the combination of references, and instead of the outstanding Office Action considering each claim element and each reference separately, the references should be viewed to determine whether one of ordinary skill in the art would really combine and modify them in order to achieve the claimed invention. Thus, reconsideration is respectfully requested for the reasons explained in the interview and for the reasons set forth below.

In the outstanding Office Action, Claims 1 and 5-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Anzai (U.S. 5,877,903) in view of Tomohiro (JP 04-265919), Lam (U.S. 2002/0006687), and Itabashi (U.S. 6,700,687), Claims 3, 4, 11, and 12

were rejected based on the same documents used to reject independent Claim 1, and further in view of Tachibe et al. (U.S. 6,449,107), and Claim 9 was rejected under 35 U.S.C. § 103(a) for the same reasons independent Claim 1 was rejected, and further in view of Takayuki (JP 08-094956).

Claims 1 and 5-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Anzai in view of Tomohiro, Lam, and Itabashi. This rejection is respectfully traversed.

The claims have been amended to recite the invention in a more clear form. Moreover, the last paragraph of Claim 1 has been amended to clearly recite a structure and arrangement which allows an ultraviolet light source to irradiate ultraviolet rays to the ultraviolet cure adhesive through the condensing lens and through the fixing member at the same time.

A first feature of Claim 1 is that the fixing member must be separate from the optical housing, as the claim recites that these two elements are connected through ultraviolet cure adhesive. The outstanding Office Action at the top of p. 2 argues that Anzai teaches that the support columns are separate from the mount. However, this is clearly erroneous and an improper reading of Anzai.

Turning to Figure 1 of Anzai, there is drawn a section line 2-2. Figure 2 of Anzai is a sectional view taken along the line 2-2. In Figure 2, it is seen that the supports 28 and 32 are integral to the base 22.

Moreover, in Anzai Figure 3 is a sectional view taken along line 3-3 of Figure 1. Figure 3 shows that the support 30 is integral to the base 22.

Thus, the combination of Figures 1, 2, and 3 of Anzai make clear that the support columns 32, 28, and 30 are integral with the base 22. With such integral construction, it would not be possible for the support columns to have a different coefficient of thermal

conductivity than the base 22. Moreover, it would not be possible or necessary to glue the support columns to the base because they are integrally formed.

For the above reasons, it is not disclosed and it would not have been obvious to have different coefficients of thermal conductivity in Anzai as it would not be possible due to the integral construction. The outstanding Office Action attempts to rely on Itabashi for this feature. However, even if the teachings of Itabashi could apply to Anzai, the claimed invention would not result.

Itabashi is related to an optical scanning device. As seen in Figure 2B, and also Figure 7, there is a holding member 23 which holds the polygonal scanner 8 and separates the polygonal scanner 8 from the housing body 20A. This holding member 23 thermally isolates the heat generating motor of the rotating polygonal mirror from the housing 20A. However, a teaching of isolating a heat generator such as the motor of a polygonal scanner 8 is quite different from thermally isolating a non-heat-generating member such as a lens, as occurs in the present invention. The outstanding Office Action at the middle portion of page 8 states, "Therefore, the holding member needs to be made of low heat conductivity material in order to reduce the transmitted heat to the housing from the heat source." However, reducing the heat transmitted from a heat generator is different than insulating components, such as a lens, from heat.

Accordingly, the teachings of Itabashi do not disclose or suggest nor render obvious the claim feature of the thermal conductivity, as recited in the claims.

Finally, Claim 1 has been amended to make clear that the condensing lens, the fixing member, and the housing are arranged and structured such that an ultraviolet light source can irradiate the ultraviolet rays to the ultraviolet cure adhesive through the condensing lens and through the fixing member at the same time. This feature which has been added to the claims recites a structural arrangement which cannot be ignored. This structural arrangement

requires ultraviolet cure adhesive between the fixing member and the housing, and the fixing member and the condensing lens. Moreover, the fixing member must have structure which allows ultraviolet rays to be transmitted therethrough, in order to cure the ultraviolet cure adhesive between the housing and the fixing member.

The outstanding Office Action does not address the feature of the ultraviolet cure adhesive being used both for fixing the lens to the frame, and for fixing the frame to a housing. In Figure 15 of Lam, the UV cure adhesive 113 is only used to fix the frame 91 to the lens shelf 109. In Figure 14, and described at paragraph [0044], the lens and frame are interlocked. Thus, Lam does not make up for the deficiencies of the other documents used to reject the claim in that Lam does not disclose the UV cure adhesive being used both to secure the lens to the frame and the frame to a housing.

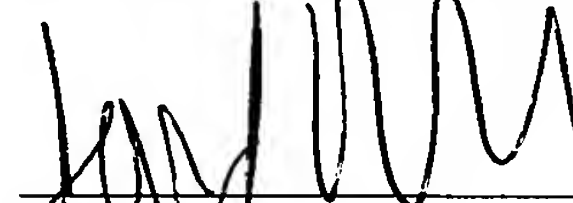
For the above reasons, the rejection of independent Claim 1 is improper and the rejection under 35 U.S.C. § 103 is respectfully requested to be withdrawn.

The dependent claims are patentable for at least the reasons the independent claims are patentable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is in condition for formal allowance and an early and favorable action to that effect is requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)